

APPEAL NO. 022701  
FILED NOVEMBER 26, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on October 2, 2002. The hearing officer determined that the appellant (claimant) did not sustain compensable injury on \_\_\_\_\_. The claimant appeals the determination on sufficiency of the evidence grounds. In its response, the respondent (carrier) urges affirmance.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant did not sustain a compensable injury on \_\_\_\_\_. That issue presented a question of fact for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence (Section 410.165(a)) and, as the trier of fact, resolves the conflicts and inconsistencies in the evidence and decides what fact the evidence has established (Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ)). As the fact finder, the hearing officer could and did disbelieve the claimant's evidence. We cannot agree that the hearing officer improperly required the claimant to produce statements from the people whom she testified witnessed her fall at work. Rather, we believe that the hearing officer was simply noting the absence of corroborating evidence in explaining her credibility determination. Nothing in our review of the record reveals that the hearing officer's determination that the claimant did not sustain a compensable injury is so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Accordingly, no sound basis exists for us to reverse that determination on appeal. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **HIGHLANDS INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CHARLIE MILLER  
10370 RICHMOND AVENUE  
HOUSTON, TEXAS 77042.**

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Elaine M. Chaney  
Appeals Judge

CONCUR:

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Susan M. Kelley  
Appeals Judge

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Veronica Lopez  
Appeals Judge